

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

DR. XIMENA P GALARZA-RIOS, MD,

Plaintiff,

v.

No. CV 20-813 WJ/CG
consolidated with
No. CV 20-900 WJ/CG

OPTUMCARE NEW MEXICO, LLC,

Defendants.

**ORDER GRANTING JOINT MOTION TO STAY DISCOVERY AND
VACATING THE SCHEDULING ORDER**

THIS MATTER is before the Court on the parties' *Joint Motion to Stay* (the "Motion"), (Doc. 36), filed March 10, 2021. In the Motion, the parties request the Court "stay proceedings until (1) the Court decides two pending dispositive motions; or (2) the parties otherwise resolve the dispute," and that the Court "vacate the pretrial deadlines" previously set by the Court's *Scheduling Order*, (Doc. 11), filed October 14, 2021. *Id.* at 1, 3. The parties further request, "in any event," that the Court allow the parties "forty-five days from the end of the stay period to respond to discovery requests pending before the stay and/or to move to compel responses to discovery that were served prior to the stay." *Id.* at 3.

The parties explain such a stay would serve "the interests of judicial economy, and [] avoid needless cost, duplication, and inconsistent rulings [on the pending dispositive motions]." *Id.* at 3. The parties note that the companion case, 20-cv-900 WJ/CG, as well as the other related actions, 20-cv-474 RB/SCY and 20-cv-817 SWS/MLC, have been stayed pending resolution of the dispositive motions. *Id.* at 1-3.

The Court, having considered the Motion, and noting it is filed jointly, finds the Motion is well-taken and shall be **GRANTED**.

IT IS THEREFORE ORDERED that all discovery and pretrial deadlines in this case, 20-cv-813 WJ/CG, are stayed pending resolution of the dispositive motions in 20-cv-474 RB/SCY, (Doc. 5), and 20-cv-900 WJ/CG, (Doc. 4).

IT IS FURTHER ORDERED that the Court's Scheduling Order, (Doc. 11), is **VACATED**.

IT IS FURTHER ORDERED that upon resolution of the pending dispositive motions, the parties shall file a joint status report either updating the Court on the status of this case, 20-cv-813 WJ/CG, or proposing a revised discovery plan.

IT IS FURTHER ORDERED that the parties shall have forty-five days from the end of the stay—from resolution of the pending dispositive motions—to respond to discovery requests pending before the stay and to file a motion to compel responses to discovery that were served prior to the stay.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'Carmen E. Garza', with a horizontal line extending to the right.

THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE